

1 GREGORY W. SMITH (SBN 134385)
2 **LAW OFFICES OF GREGORY W. SMITH**

3 9100 Wilshire Boulevard, Suite 345E
4 Beverly Hills, California 90212

5 Telephone: (310) 777-7894
6 (213) 385-3400

7 Telecopier: (310) 777-7895

8 CHRISTOPHER BRIZZOLARA (SBN 130304)
9 1528 16th Street

10 Santa Monica, California 90404
11 Telephone: (310) 394-6447

12 Telecopier: (310) 656-7701

13 Attorneys for Plaintiff
14 WILLIAM TAYLOR

15 **UNLIMITED JURISDICTION**

16 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

17 **FOR THE COUNTY OF LOS ANGELES**

18 WILLIAM TAYLOR,

19 Plaintiff,

20 vs.

21 CITY OF BURBANK and DOES 1 through
22 100, inclusive,

23 Defendants.

CASE NO. BC 422 252

[Assigned to the Hon. John L. Segal,
Judge, Dept. "50"]

PLAINTIFF'S OPPOSITION TO
MOTION TO TAX COSTS;
DECLARATION OF GREGORY W.
SMITH IN SUPPORT THEREOF

Date: June 19, 2012

Time: 8:30 a.m.

Dept: "50"

Action Filed: September 22, 2009
Trial: March 5, 2012

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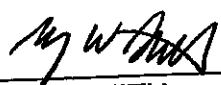
1 TO THE ABOVE-ENTITLED COURT, ALL PARTIES, AND TO THEIR
2 RESPECTIVE ATTORNEYS OF RECORD HEREIN:

3 Plaintiff WILLIAM TAYLOR ("Plaintiff" or "Taylor") herein submits his opposition to
4 Defendant CITY OF BURBANK's (hereinafter "Defendant") Motion to Tax Costs.
5

6
7 Dated: June 5, 2012

LAW OFFICES OF GREGORY W. SMITH

8 By:


9 GREGORY W. SMITH
10 Attorneys for Plaintiff
11 WILLIAM TAYLOR
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1 the preparation and serving of a Government Claim is a prerequisite to filing a lawsuit
2 under *Labor Code* section 1102.5.

3 An item neither specifically allowable under *C.C.P.* section 1035(a) nor prohibited
4 under *C.C.P.* section 1035(b) may nevertheless be recoverable in the court's discretion.
5 *C.C.P.* section 1033.5 (c) (4); *Davis v. KGO-TV., Inc* (1998) 17 Cal.4th 436, 444.

6 All of the items included in Exhibit "1" are either filing fees, service fees, or
7 messenger fees relating to the actual filing and delivery of legal documents for filing
8 concerning this case. Although *C.C.P.* section 1035(a) does not address service fees or
9 messenger fees, *C.C.P.* section 1035 does not preclude those costs from being awarded.
10 Also see *Ladas v. California State Auto Association* (1993) 19 Cal.App.4th 761, where the
11 court did award costs for messenger fees which were incurred for filing with the court.
12

13 Consequently, the court does have discretion to award the costs claimed by
14 Plaintiff.
15

16 **B. IN ITEM 2, THE SUM OF THE JURY FEES IS CORRECT AND THE**
17 **AMOUNT OF \$1,261.44 SHOULD BE AWARDED TO PLAINTIFF**

18 In Item 2, Plaintiff inadvertently left the sum of \$236.48 out of the memorandum of
19 costs worksheet. The total amount of \$1,261.44 set forth in item 2 is the correct amount.
20 The jury fee deposit for 3-16-12 though 3-19-12 for \$236.48 is reflected in Exhibit "2" to
21 the Declaration of Gregory W. Smith.
22

23 **C. IN ITEM 4, THE SUM OF \$538.00 FOR THE VIDEO-TAPING FOR**
24 **CINDY MAGNANTE WAS APPROPRIATE**

25 For Item 4, Plaintiff was billed and paid \$538.20 for the video-taped deposition of
26 Cindy Magnante. Attached to the Declaration of Gregory W. Smith as Exhibit "3" is the
27 actual invoice from So Cal Legal Video. The invoice is actually \$598.00, but was
28

1 negotiated down approximately 10% to \$538.20. The reason John Murphy's deposition
2 was less was because the videographer was dismissed by the parties and the \$180.00
3 was the set-up cost. A fact that Mr. Tyson was probably unaware of since he did not
4 attend the depositions of Magnante or Murphy.

5 **D. ALL OF THE COSTS IN ITEM 5 WERE REASONABLE AND**
6 **APPROPRIATE.**
7

8 *Stehr Subpoena:* Defendant's argument that the City agreed to provide Stehr for
9 trial and therefore Plaintiff is not entitled to payment for the cost of serving him with a trial
10 subpoena is disingenuous. The City did everything in its power to make this case costly
11 and time consuming for Plaintiff. The February 28, 2012 letter from Mr. Frank
12 (Defendant's Exhibit B) also promised to provide Janet Lowers for trial. The Court should
13 note that Frank cleverly states that Lowers will be provided for trial "during certain time
14 windows" without disclosing that she had definitive plans to leave for Alaska during the
15 entire pendency of the trial. Plaintiff was required to send a process server out to serve
16 Lowers, despite Mr. Frank's assurances, and she only returned to testify after Plaintiff
17 requested a body attachment. Defendant does not attempt to tax costs for serving
18 Lowers.
19

20 Additionally, Plaintiff's Exhibit "4" clearly shows that on February 21, 2012 Plaintiff
21 forwarded to a process server, via email and regular U.S. Mail, a trial subpoena for Stehr.
22 The process server made attempts to serve Stehr, but was unable to perfect service.
23 Plaintiff's request to the serve Stehr with a trial subpoena was made a full week before
24 Plaintiff's counsel received Mr. Frank's assurances in his February 28, 2012 letter.
25

26 *Gresen subpoena:* Plaintiff issued a SDT for trial for the depositions of Stehr,
27 Puglisi and others that were taken in another case (depositions that were possessed by
28

1 discovery and Plaintiff had only three binders of documents. Attached as Exhibit "7" to the
2 Declaration of Gregory W. Smith is a copy of the invoice for copying exhibits to be used at
3 trial.

4 **G. PLAINTIFF SHOULD PREVAIL ON ALL OF THE COSTS REQUESTED IN**
5 **ITEM 13 EXCEPT THE \$52.00 FOR THE COURT TRANSCRIPTS.**

6 *\$186.00 and \$54.78 in messenger fees:* messenger fees are not specifically
7 prohibited and the court has discretion to award these costs.

8
9
10 *\$52.00 transcripts:* Defendant is correct that Plaintiff is not entitled to these costs.

11
12 *\$216.00 Court Call fees:* Section 1033.5(c) (2) does not stand for the proposition
13 that court call fees are "merely convenient" as asserted by Mr. Tyson. Further, there is no
14 section in law that prohibits the award of costs for court call appearances. The section
15 cited by Mr. Tyson when read in whole states: "Allowable costs shall be reasonably
16 necessary to the conduct of the litigation rather than merely convenient or beneficial to its
17 preparation." A court appearance through court call is not a mere convenience, it is an
18 actual appearance that is required of counsel while conducting litigation.
19
20

21 *\$7.50 charge for printing a document from the Superior Court:* The \$7.50 charge
22 was the price for printing a document online related to this litigation.
23
24

25 *\$1,499.50 for transcriptions of IA Interviews and \$1,300.00 for translations of the IA*
26 *witness statements from Spanish to English:* The IA interviews that were transcribed from
27 tapes were used extensively during the trial. They were not admitted over a hearsay
28

1 objection, but were used to refresh recollection and were certainly important for Plaintiff's
2 counsel's understanding of the case. Further, the IA interviews that were translated from
3 Spanish into English were also used extensively during the trial to refresh recollection and
4 to provide Plaintiff's counsel with an understanding of what was said by the Latino
5 witnesses that claimed they were attacked. Again, the translations were not admitted
6 based upon the court's ruling that they were inadmissible hearsay.

7
8 Defendant fails to mention that the City had all of these documents translated and
9 transcribed, but would not provide them to Plaintiff. Attached as Exhibit "8" to the
10 Declaration of Gregory W. Smith is a copy of the bill for the transcriptions and translations.
11

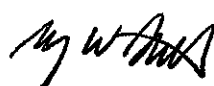
12 **III. CONCLUSION**

13 For the foregoing reasons, Plaintiff requests that the Court award costs to Plaintiff
14 in the amount of \$19,379.28. This amount is arrived at by deducting expert witness costs
15 in the amount of \$29,615.00 and \$52.00 for court transcripts that were not ordered by the
16 court.
17

18
19 Dated: June 5, 2012

LAW OFFICES OF GREGORY W. SMITH

20
21 By:



GREGORY W. SMITH
Attorneys for Plaintiff
WILLIAM TAYLOR

"DECLARATION"

DECLARATION OF GREGORY W. SMITH

I, Gregory W. Smith, declare as follows:

1. I am an attorney at law duly licensed to practice before all the Courts of the State of California. I am attorney of record for Plaintiff William Taylor in this action.

2. I have personal knowledge of the following and if called to testify, I could and would competently testify concerning those matters set forth herein.

3. The items included in Item 1 of the Memorandum of Costs Worksheet for Filing and Motion Fees, consist of filing fees and fees related to the filing of various documents in the case in the amount of \$1,274.87. Attached hereto and designated as Exhibit "1" is a list of each of the items claimed specifying the description of the type of fee and the document or documents that were filed with the court.

4. In Item 2 of the Memorandum of Costs Worksheet for Jury Fees, the amount of \$1,261.44 is the correct amount. I inadvertently left out the jury fee deposit for 3-16-12 though 3-19-12 in the amount of \$236.48. Attached hereto and designated as Exhibit "2" is a complete list which reflects all the jury fees paid by me in this matter.

5. For Item 4 of the Memorandum of Costs, Plaintiff was billed and paid \$538.20 for the video-taped deposition of Cindy Magnante. The original amount of the invoice for \$598.00 was negotiated down by approximately 10% to \$538.20. Further, the videographer's invoice for John Murphy's deposition was less because the videographer was dismissed by the parties and the cost of \$180.00 was the set-up cost. This is the reason for the discrepancy in price. Attached hereto and designated as Exhibit "3" is a true and correct copy of the actual invoice from SoCal Legal Video, Invoice #150.

6. My office forwarded a trial subpoena to a process server, via email and regular U.S. Mail, on February 21, 2012 to subpoena Stehr for trial. The process server made attempts to serve Stehr, but was unable to perfect service. Our request to the process server via letter dated February 21, 2012 clearly shows that our request to the

1 process server regarding the trial subpoena for Stehr was made a full week before
2 Plaintiff's counsel received Mr. Frank's assurances in his February 28, 2012 letter.
3 Attached hereto and designated as Exhibit "4" is a true and correct copy of my office's
4 request to the process server dated February 21, 2012 together with copies of the trial
5 subpoenas to be served.

6
7 7. Plaintiff issued and served a SDT for trial to Solomon Gresen, Esq., counsel
8 for the Plaintiffs in the matter of Omar Rodriguez v. Burbank Police Department, for the
9 depositions of Stehr, Puglisi and others that were taken in that matter (depositions that
10 were possessed by Mr. Ronald Frank), and that Plaintiff's counsel believed were under a
11 protective order. Attached hereto and designated as Exhibit "5" are true and correct
12 copies of the Civil Subpoena (Duces Tecum) for Personal Appearance and Production of
13 Documents and Things at Trial or Hearing and Declaration issued to Solomon Gresen,
14 Esq. with the corresponding Proof of Service.

15
16 8. In Item 5 of the Memorandum of Costs Worksheet for Service of Process,
17 the amounts: \$295.59, \$160.43, and \$17.75 are messenger fees and Federal Express
18 fees for either delivering or serving legal documents all connected to this litigation.
19 Attached hereto and designated as Exhibit "6" is a list of all the Federal Express and
20 Messenger Express bills specifying the name of the office that was served and the name
21 of the document or documents that were served upon that office.

22
23 9. The costs in Item 11 for \$2,548.47 were for photocopying multiple exhibits
24 and placing them in three-ring binders for trial. Many of the documents that were
25 photocopied were not admitted into evidence (for hearsay purposes) or were used for
26 purposes other than to have them admitted. Plaintiff was actually quite conservative in
27 the amount of documents that were copied since hundreds of thousands of documents
28

1 were produced during discovery and Plaintiff had only three binders of documents.
2 Attached hereto and designated as Exhibit "7" is a true and correct copy of the actual
3 invoice from Keystone Document Discovery for copying exhibits to be used at trial.

4 10. In Item 13 of the Memorandum of Costs Worksheet for Other, Plaintiff
5 included \$1,499.50 for transcriptions of IA Interviews and \$1,300.00 for translations of the
6 IA witness statements from Spanish to English. The IA interviews that were transcribed
7 from tapes were used extensively during the trial. They were not admitted over a hearsay
8 objection, but were used to refresh recollection and were certainly important for my co-
9 counsel and my understanding of the case. Further, the IA interviews that were translated
10 from Spanish into English were also used extensively during the trial to refresh
11 recollection and to provide my co-counsel and myself with an understanding of what was
12 said by the Latino witnesses that claimed they were attacked. Again, the translations
13 were not admitted based upon the court's ruling that they were inadmissible hearsay.
14 Although the City had all of these same documents translated and transcribed, defense
15 counsel would not provide them to Plaintiff. Attached hereto and designated as Exhibit "8"
16 are true and correct copies of the bills for the transcriptions and translations.
17
18
19

20 I declare under penalty of perjury under the laws of the State of California that the
21 foregoing is true and correct.

22 Executed this 5th day of June 2012 at Beverly Hills, California.

23
24 
25 Gregory W. Smith

EXHIBIT "1"

FILING AND MOTION FEES

Re: William Taylor v. City of Burbank
Los Angeles County Superior Court Case No. BC 422 252

DATE	DESCRIPTION OF TYPE OF FEE & DOCUMENT(S) FILED	AMOUNT
09-18-09	Court Filing Fee (Check #6658) Document Filed: Plaintiff's Complaint	\$355.00
03-05-10	Messenger Filing Fee (Tag #s C0500134 & C0500179) Document Filed: Plaintiff's Pitchess and Discovery Motions	\$165.75
04-14-10	Fax Filing Fee (Paid by Credit Card) Document Filed: Plaintiff's Reply Brief Re Pitchess Motion	\$16.50
04-29-10	Court Filing Fee and Attorney Service Filing Fee (Check #7112) Document Filed: Stipulation & Order re Pitchess Motion	\$40.00
06-04-10	Messenger Filing Fee (Tag #F0400026) Document Filed: Plaintiff's Government Claim dated 06/04/10	\$53.50
06-09-10	Messenger Filing Fee (Tag #s F0900051 & F0900087) Document Filed: Plaintiff's Opposition to Motion for Sanctions	\$154.12
08-24-10	Court Filing Fee (Check #7332) Document Filed: Plaintiff's Pitchess Motion re E. Rosoff	\$40.00
08-24-10	Court Filing Fee (Check #7332) Document Filed: Plaintiff's Pitchess Motion re J. Jette	\$40.00
08-25-10	Attorney Service Filing Fee – Document Filed: Plaintiff's Opposition to Defendant's Request for New Hearing on Granted Pitchess Motion, etc.)	\$20.00
10-29-10	Fax Filing Fee (Paid by Credit Card) Document Filed: Plaintiff's Objection to, Motion to Strike, & Response to Defendant's Opposition to Pitchess Motion re W. Taylor	\$15.00
11-03-10	Court Filing Fee (Check #7512) Document Filed: Plaintiff's Ex Parte Hearing on 11/04/10	\$40.00
11-03-10	Court Filing Fee (Check #7513) Document Filed: Plaintiff's Motion to Amend	\$40.00
12-02-10	Court Filing Fee (Check #7553) Document Filed: Plaintiff's Pitchess Motion Re Bobb Report	\$40.00
05-25-11	Fax Filing Fee (Paid by Credit Card) Document Filed: Filing of Court Ordered Joint Status Report)	\$10.50

FILING AND MOTION FEES

Re: **William Taylor v. City of Burbank**
Los Angeles County Superior Court Case No. BC 422 252

DATE	DESCRIPTION OF TYPE OF FEE & DOCUMENT(\$ FILED)	AMOUNT
06-06-11	Court Filing Fee (Check #7870) Document Filed: Plaintiff's Pitchess Motion Re E. Rosoff)	\$40.00
06-06-11	Court Filing Fee (Check #7869) Document Filed: Plaintiff's Pitchess Motion Re J. Jette)	\$40.00
07-08-11	Attorney Service Filing Fee – Document Filed: Plaintiff's Proposed Order re Pitchess Motions)	\$20.00
12-23-11	Attorney Service Filing Fee – Document Filed: Plaintiff's Opposition to Motion to Augment and/or Amend Expert Witness List	\$20.00
02-15-12	Messenger Filing Fee (Tag #B1520029) Documents Filed: Plaintiff's Opposition Briefs Re Motions in Limine Nos. 1, 2, & 5	\$64.50
03-02-12	Attorney Service Filing Fee – Document Filed: Plaintiff's List of Stipulated Facts)	\$20.00
04-24-12	Court Filing Fee (Check #8353) Document Filed: Plaintiff's Motion for Injunctive Relief)	\$40.00
	TOTAL	\$1,274.87

EXHIBIT "2"

JURY FEES

Re: William Taylor v. City of Burbank
Los Angeles County Superior Court Case No. BC 422 252

ITEM #2 – JURY FEES IN MEMORANDUM OF COSTS (WORKSHEET)

JURY FEE DEPOSIT	\$150.00
11-08-2011	

JURY FEES	\$362.48
03-06-12 THRU 03-09-12	

JURY FEES	\$512.48
03-12-12 THRU 03-15-12	

JURY FEES	\$236.48
03-16-12 THRU 03-19-12	

EXHIBIT "3"

Invoice

Lancelot Smith
So Cal Legal Video
23162 Smith Road
Chatsworth, CA 91311
818 710 0173
SoCalLegalVideo@yahoo.com
www.socallegalvideo.com

Gregory Smith
Law Offices of Gregory Smith
ATTN: Selma
6300 Canoga Ave
Woodland Hills, CA 0000000
GS06

**Taylor Vs City
of Burbank**

Invoice No.: 150
Due Date: 7/25/10
Start Date: 7/7/10
End Date: 7/10/10

Hourly Services

Date	Charge	Time	Start	End	Rate	Description	Amount
7/7/10	Depo First Copies	03:00	00:00	03:00	\$35.00	DVD copies MPEG	\$105.00
7/7/10	Video Depo GWS	04:30	09:15	13:45	\$100.00	Cindy Magnante	\$450.00
						Time:	07:30
						Hourly Services:	\$555.00

Fixed Services/Products

Date	Charge	Cost	Description	Quantity	Amount
7/7/10	Parking	\$13.00	Reciept attached	1	\$13.00
7/10/10	Hard Drive Storage Fee	\$10.00	Archive footage to hard drive (est 3 hrs)	3	\$30.00
Fixed Services/Products:					\$43.00

Subtotal: \$598.00

Total Due: \$598.00

Thank you for your business, Gregory Smith!

EXHIBIT "4"

Selma Francia

From: Selma Francia [sfrancia@gwslegal.com]
Sent: Tuesday, February 21, 2012 1:38 PM
To: 'cavemanps@dslextreme.com'
Subject: Taylor v. City of Burbank
Attachments: Taylor-Letter to Caveman PS 022112.PDF

Dear Phil,

Attached is our correspondence to you of today's date enclosing the trial subpoenas that we previously discussed by telephone in the above matter. The hard copies with our payments to you are going out in today's mail.

Thank you,

SELMA FRANCIA
PARALEGAL
LAW OFFICES OF GREGORY W. SMITH
9100 WILSHIRE BOULEVARD, SUITE 345E
BEVERLY HILLS, CALIFORNIA 90212
TEL. (310) 777-7894 OR (213) 385-3400
FAX (310) 777-7895

CONFIDENTIALITY NOTICE: THIS TRANSMISSION IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISCLOSURE, DISTRIBUTION, OR COPYING OF THIS INFORMATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE, AND RETURN THE ORIGINAL DOCUMENTS TO US AT THE ABOVE ADDRESS VIA UNITED STATE POSTAL SERVICE.

6/5/2012

**LAW OFFICES OF
GREGORY W. SMITH
9100 WILSHIRE BOULEVARD, SUITE 345E
BEVERLY HILLS, CALIFORNIA 90212
TELEPHONE (310) 777-7894 ■ (213) 385-3400
FACSIMILE (310) 777-7895**

February 21, 2012

VIA ELECTRONIC & U.S. MAIL

Mr. Phil Becker
Caveman PS
7356 High Knoll Circle
Corona, California 92881

**Re: William Taylor v. City of Burbank
Los Angeles Superior Court Case No. BC 422 252**

Dear Mr. Becker:

Pursuant to our telephonic discussions yesterday and today, enclosed herewith are two trial subpoenas for the following individuals which we're requesting that you immediately serve upon each of the witnesses in connection with the above entitled matter:

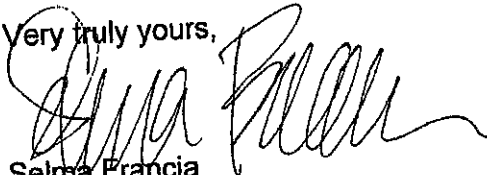
- Civil Trial Subpoena for Witness Janice Lowers
Residence Address:
- Civil Trial Subpoena for Witness Timothy Stehr
Residence Address:

Per our discussion, I'm also enclosing two separate checks (one for each witness), each in the amount of \$90.00 to cover your service of process fees. The fees we discussed are a service of process base charge of \$65.00 per subpoena plus a \$25.00 rush fee per subpoena. Once you have completed personal service of process upon both witnesses, please return your signed proofs of service in connection with same to our office.

Re: Taylor v. City of Burbank
Mr. Phil Becker
February 21, 2012
Page Two

Should you have any questions or need additional information from our office,
please do not hesitate to contact our office.

Very truly yours,



Selma Francia
Paralegal

Enclosures

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): GREGORY W. SMITH (SBN 134385) LAW OFFICES OF GREGORY W. SMITH 9100 WILSHIRE BOULEVARD, SUITE 345E BEVERLY HILLS, CALIFORNIA 90212		FOR COURT USE ONLY
TELEPHONE NO.: (310) 777-7894 ATTORNEY FOR (Name): Plaintiff WILLIAM TAYLOR	FAX NO.: (310) 777-7895	
NAME OF COURT: SUPERIOR COURT OF THE STATE OF CALIFORNIA STREET ADDRESS: 111 NORTH HILL STREET MAILING ADDRESS: 111 NORTH HILL STREET CITY AND ZIP CODE: LOS ANGELES, CALIFORNIA 90012 BRANCH NAME: CENTRAL DISTRICT		
PLAINTIFF/PETITIONER: WILLIAM TAYLOR DEFENDANT/RESPONDENT: CITY OF BURBANK, et al.		
CIVIL SUBPOENA For Personal Appearance at Trial or Hearing		CASE NUMBER: BC 422 252

THE PEOPLE OF THE STATE OF CALIFORNIA, TO (name, address, and telephone number of witness, if known):
JANICE LOWERS

1. YOU ARE ORDERED TO APPEAR AS A WITNESS in this action at the date, time, and place shown in the box below
UNLESS you make an agreement with the person named in item 2:

a. Date: MARCH 5, 2012 Time: 8:30 A.M. ☒ Dept.: "50" ☐ Div.: ☐ Room:
b. Address: 111 NORTH HILL STREET, DEPT. "50"
LOS ANGELES, CALIFORNIA 90012

2. IF YOU HAVE ANY QUESTIONS ABOUT THE TIME OR DATE FOR YOU TO APPEAR, OR IF YOU WANT TO BE CERTAIN THAT YOUR PRESENCE IS REQUIRED, CONTACT THE FOLLOWING PERSON BEFORE THE DATE ON WHICH YOU ARE TO APPEAR:

a. Name of subpoenaing party or attorney:
GREGORY W. SMITH (SBN 134385)

b. Telephone number: (310) 777-7894

3. **Witness Fees:** You are entitled to witness fees and mileage actually traveled both ways, as provided by law, if you request them at the time of service. You may request them before your scheduled appearance from the person named in item 2.

DISOBEDIENCE OF THIS SUBPOENA MAY BE PUNISHED AS CONTEMPT BY THIS COURT. YOU WILL ALSO BE LIABLE FOR THE SUM OF FIVE HUNDRED DOLLARS AND ALL DAMAGES RESULTING FROM YOUR FAILURE TO OBEY.

Date issued: FEBRUARY 20, 2012

GREGORY W. SMITH (SBN 134385)
(TYPE OR PRINT NAME)

(SIGNATURE OF PERSON ISSUING SUBPOENA)

ATTORNEYS FOR PLAINTIFF
(TITLE)

Requests for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least 5 days before the date on which you are to appear. Contact the clerk's office or go to www.courtinfo.ca.gov/forms for Request for Accommodations by Persons With Disabilities and Order (form MC-410). (Civil Code, § 54.8.)



(Proof of service on reverse)

**CIVIL SUBPOENA FOR PERSONAL
APPEARANCE AT TRIAL OR HEARING**

Legal
Solutions
& Plus

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): GREGORY W. SMITH (SBN 134385) LAW OFFICES OF GREGORY W. SMITH 9100 WILSHIRE BOULEVARD, SUITE 345E BEVERLY HILLS, CALIFORNIA 90212		FOR COURT USE ONLY
TELEPHONE NO.: (310) 777-7894 ATTORNEY FOR (Name): Plaintiff WILLIAM TAYLOR	FAX NO.: (310) 777-7895	
NAME OF COURT: SUPERIOR COURT OF THE STATE OF CALIFORNIA STREET ADDRESS: 111 NORTH HILL STREET MAILING ADDRESS: 111 NORTH HILL STREET CITY AND ZIP CODE: LOS ANGELES, CALIFORNIA 90012 BRANCH NAME: CENTRAL DISTRICT		
PLAINTIFF/PETITIONER: WILLIAM TAYLOR		
DEFENDANT/RESPONDENT: CITY OF BURBANK, et al.		
CIVIL SUBPOENA For Personal Appearance at Trial or Hearing		CASE NUMBER: BC 422 252

THE PEOPLE OF THE STATE OF CALIFORNIA, TO (name, address, and telephone number of witness, if known):
TIMOTHY STEHR

1. YOU ARE ORDERED TO APPEAR AS A WITNESS in this action at the date, time, and place shown in the box below
 UNLESS you make an agreement with the person named in item 2:

a. Date: **MARCH 5, 2012** Time: **8:30 A.M.** ☒ Dept.: "50" ☐ Div.: ☐ Room:
 b. Address: **111 NORTH HILL STREET, DEPT. "50"**
LOS ANGELES, CALIFORNIA 90012

2. IF YOU HAVE ANY QUESTIONS ABOUT THE TIME OR DATE FOR YOU TO APPEAR, OR IF YOU WANT TO BE CERTAIN
 THAT YOUR PRESENCE IS REQUIRED, CONTACT THE FOLLOWING PERSON BEFORE THE DATE ON WHICH YOU ARE
 TO APPEAR:

a. Name of subpoenaing party or attorney:
GREGORY W. SMITH (SBN 134385)

b. Telephone number: (310) 777-7894

3. **Witness Fees:** You are entitled to witness fees and mileage actually traveled both ways, as provided by law, if you request them at
 the time of service. You may request them before your scheduled appearance from the person named in item 2.

**DISOBEDIENCE OF THIS SUBPOENA MAY BE PUNISHED AS CONTEMPT BY THIS COURT. YOU WILL ALSO BE LIABLE
 FOR THE SUM OF FIVE HUNDRED DOLLARS AND ALL DAMAGES RESULTING FROM YOUR FAILURE TO OBEY.**

Date issued: **FEBRUARY 20, 2012**

GREGORY W. SMITH (SBN 134385)
 (TYPE OR PRINT NAME)

(SIGNATURE OF PERSON ISSUING SUBPOENA)

ATTORNEYS FOR PLAINTIFF
 (TITLE)

Requests for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available
 if you ask at least 5 days before the date on which you are to appear. Contact the clerk's office or go to
www.courtinfo.ca.gov/forms for Request for Accommodations by Persons With Disabilities and Order (form MC-410).
 (Civil Code, § 54.8.)



(Proof of service on reverse)

**CIVIL SUBPOENA FOR PERSONAL
 APPEARANCE AT TRIAL OR HEARING**

Legal
 Solutions
 & Plus

EXHIBIT "5"

FOR COURT USE ONLY

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):

GREGORY W. SMITH (SBN 134385)

LAW OFFICES OF GREGORY W. SMITH
9100 WILSHIRE BOULEVARD, SUITE 345E
BEVERLY HILLS, CALIFORNIA 90212

TELEPHONE NO.: (310) 777-7894 FAX NO.: (310) 777-7895

ATTORNEY FOR (Name): Plaintiff WILLIAM TAYLOR

NAME OF COURT: SUPERIOR COURT OF THE STATE OF CALIFORNIA

STREET ADDRESS: 111 NORTH HILL STREET

MAILING ADDRESS: 111 NORTH HILL STREET

CITY AND ZIP CODE: LOS ANGELES, CALIFORNIA 90012

BRANCH NAME: CENTRAL DISTRICT

PLAINTIFF/PETITIONER: WILLIAM TAYLOR

DEFENDANT/RESPONDENT: CITY OF BURBANK, et al.

**CIVIL SUBPOENA (DUCES TECUM) for Personal Appearance
and Production of Documents and Things at Trial or Hearing
AND DECLARATION**

CASE NUMBER:

BC 422 252

THE PEOPLE OF THE STATE OF CALIFORNIA, TO (name, address, and telephone number of witness, if known):
SOLOMON E. GRESSEN, ESQ., LAW OFFICES OF RHEUBAN & GRESSEN, 15910 VENTURA
BOULEVARD, SUITE 1610, ENCINO, CALIFORNIA 91436

1. YOU ARE ORDERED TO APPEAR AS A WITNESS in this action at the date, time, and place shown in the box below
UNLESS your appearance is excused as indicated in box 3b below or you make an agreement with the person named in
item 4 below.

a. Date: 03/05/2012 Time: 8:30 A.M. ☒ Dept.: "50" ☐ Div.: ☐ Room:
b. Address: 111 NORTH HILL STREET, LOS ANGELES, CALIFORNIA 90012

2. IF YOU HAVE BEEN SERVED WITH THIS SUBPOENA AS A CUSTODIAN OF CONSUMER OR EMPLOYEE RECORDS
UNDER CODE OF CIVIL PROCEDURE SECTION 1985.3 OR 1985.6 AND A MOTION TO QUASH OR AN OBJECTION HAS
BEEN SERVED ON YOU, A COURT ORDER OR AGREEMENT OF THE PARTIES, WITNESSES, AND CONSUMER OR
EMPLOYEE AFFECTED MUST BE OBTAINED BEFORE YOU ARE REQUIRED TO PRODUCE CONSUMER OR EMPLOYEE
RECORDS.
3. YOU ARE (item a or b must be checked):
- a. ☐ Ordered to appear in person and to produce the records described in the declaration on page two or the attached
declaration or affidavit. The personal attendance of the custodian or other qualified witness and the production of the
original records are required by this subpoena. The procedure authorized by Evidence Code sections 1560(b), 1561, and
1562 will not be deemed sufficient compliance with this subpoena.
- b. ☒ Not required to appear in person if you produce (i) the records described in the declaration on page two or the attached
declaration or affidavit and (ii) a completed declaration of custodian of records in compliance with Evidence Code sections
1560, 1561, 1562, and 1271. (1) Place a copy of the records in an envelope (or other wrapper). Enclose the original
declaration of the custodian with the records. Seal the envelope. (2) Attach a copy of this subpoena to the envelope or
write on the envelope the case name and number; your name; and the date, time, and place from item 1 in the box above.
(3) Place this first envelope in an outer envelope, seal it, and mail it to the clerk of the court at the address in item 1. (4)
Mail a copy of your declaration to the attorney or party listed at the top of this form.
4. IF YOU HAVE ANY QUESTIONS ABOUT THE TIME OR DATE YOU ARE TO APPEAR, OR IF YOU WANT TO BE CERTAIN
THAT YOUR PRESENCE IS REQUIRED, CONTACT THE FOLLOWING PERSON BEFORE THE DATE ON WHICH YOU ARE
TO APPEAR:
- a. Name of subpoenaing party or attorney: GREGORY W. SMITH, ESQ. b. Telephone number: (310) 777-7894
5. **Witness Fees:** You are entitled to witness fees and mileage actually traveled both ways, as provided by law, if you request them
at the time of service. You may request them before your scheduled appearance from the person named in item 4.

**DISOBEDIENCE OF THIS SUBPOENA MAY BE PUNISHED AS CONTEMPT BY THIS COURT. YOU WILL ALSO BE LIABLE
FOR THE SUM OF FIVE HUNDRED DOLLARS AND ALL DAMAGES RESULTING FROM YOUR FAILURE TO OBEY.**

Date issued: FEBRUARY 9, 2012

GREGORY W. SMITH

(TYPE OR PRINT NAME)

(SIGNATURE OF PERSON ISSUING SUBPOENA)

ATTORNEYS FOR PLAINTIFF

(TITLE)

(Declaration in support of subpoena on reverse)

Page 1 of 3

Code of Civil Procedure,
§ 1985 et seq.

PLAINTIFF/PETITIONER: WILLIAM TAYLOR

CASE NUMBER:

BC 422 252

DEFENDANT/RESPONDENT: CITY OF BURBANK, et al.

The production of the documents or the other things sought by the subpoena on page one is supported by (check one):
☒ the attached affidavit or declaration ☐ the following declaration:

DECLARATION IN SUPPORT OF CIVIL SUBPOENA (DUCES TECUM) FOR PERSONAL APPEARANCE AND PRODUCTION OF DOCUMENTS AND THINGS AT TRIAL OR HEARING
 (Code Civ. Proc., §§ 1985, 1987.5)

1. I, the undersigned, declare I am the ☐ plaintiff ☐ defendant ☐ petitioner ☐ respondent
☐ attorney for (specify):

in the above-entitled action.

2. The witness has possession or control of the following documents or other things and shall produce them at the time and place specified in the *Civil Subpoena for Personal Appearance and Production of Documents and Things at Trial or Hearing* on page one of this form (specify the exact documents or other things to be produced):

☐ Continued on Attachment 2.

3. Good cause exists for the production of the documents or other things described in paragraph 2 for the following reasons:

☐ Continued on Attachment 3.

4. These documents or other things described in paragraph 2 are material to the issues involved in this case for the following reasons:

☐ Continued on Attachment 4.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: FEBRUARY 9, 2012

GREGORY W. SMITH
 (TYPE OR PRINT NAME)

(SIGNATURE OF

☐ SUBPOENAING PARTY

☒ ATTORNEY FOR
 SUBPOENAING PARTY)

Request for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the date on which you are to appear. Contact the clerk's office or go to www.courtinfo.ca.gov/forms for *Request for Accommodations by Persons With Disabilities and Response* (form MC-410). (Civil Code, § 54.8.)



(Proof of service on page 3)

Page 2 of 3

1 GREGORY W. SMITH (SBN 134385)
2 **LAW OFFICES OF GREGORY W. SMITH**
3 9100 Wilshire Boulevard, Suite 345E
4 Beverly Hills, California 90212
5 Telephone: (310) 777-7894
6 (213) 385-3400
7 Telecopier: (310) 777-7895

8 CHRISTOPHER BRIZZOLARA (SBN 130304)
9 1528 16th Street
10 Santa Monica, California 90404
11 Telephone: (310) 394-6447
12 Telecopier: (310) 656-7701

13 Attorneys for Plaintiff
14 WILLIAM TAYLOR

15 **UNLIMITED JURISDICTION**
16 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
17 **FOR THE COUNTY OF LOS ANGELES**

18 WILLIAM TAYLOR,

19 Plaintiff,

20 vs.

21 CITY OF BURBANK and DOES 1 through
22 100, inclusive,

23 Defendants.

CASE NO. BC 422 252

[Assigned to the Hon. John L. Segal,
Judge, Dept. "50"]

APPLICATION FOR SUBPOENA
DUCES TECUM

TRIAL

Date: March 5, 2012
Time: 8:30 a.m.
Dept.: "50"

Action Filed: September 22, 2009
FSC: February 29, 2012
Trial: March 5, 2012

24 The undersigned states:

25 That he is the attorney of record for Plaintiff WILLIAM TAYLOR in the above
26 entitled action; that said case is duly set for trial on March 5, 2012 in Department "50" of
27 the above entitled court before the Honorable John L. Segal.
28

1 That Solomon E. Gresen, Esq. has in his possession or control the following
2 documents: 008
12

3 **DEFINITIONS:**

4 As used herein, the terms "**DOCUMENT**" or "**DOCUMENTS**" shall mean and
5 includes the original or a copy of any handwriting, typewriting, printing, photocopying,
6 photographing, and every other means of recording upon any tangible thing and form of
7 communicating or representation, including letters, words, pictures, sounds, or symbols,
8 or combinations of them within the meaning and scope of California Evidence Code
9 section 250 including, without limitation, any written, recorded or graphic matter, whether
10 produced, reproduced or stored on paper, cards, tape, film, electronic facsimile, computer
11 storage devices, memories, data cells or other media or data compilation from which
12 information can be obtained, including originals, copies (with or without notes or changes
13 thereon) and drafts, and includes, but is not limited to, papers, books, letters, tangible
14 things, correspondence, telegrams, cables, telex messages, memoranda, notes,
15 notations, work papers, transcripts, minutes, reports, recordings of telephone
16 conversations, interviews, conferences or other meetings, affidavits, statements,
17 summaries, options, reports, studies, analyses, evaluations, appraisals, estimates,
18 projections, charts, schedules, work sheets, proposals, contracts, agreements, statistical
19 records, desk calendars, appointment books, diaries, lists, tabulations, sound recordings,
20 computer print-outs, data processing output and input, microfilms, phonographs or
21 negatives thereof, all other records kept by electronic, photographic or mechanical means,
22 and any or all matter or material attached or affixed to any of the above, within the
23 possession, custody, and/or control of the responding party, or his agents, attorneys,
24 counselors, and/or any other persons who may act on his behalf. 008
12

25 As used herein, the term "**PERTAIN TO**" shall mean referring to, relating to,
26 evidencing, demonstrating, supporting, or otherwise having any relation to the specific
27 item or topic. 008
12

28 ///

///

DOCUMENTS TO BE PRODUCED:

1
2 1. Any and all volumes of the transcript of deposition testimony of Timothy
3 Stehr taken in the matter of Omar Rodriguez, et al. v. Burbank Police Department, et al.,
4 Case No. BC414602.

5 2. Any and all volumes of the transcript of deposition testimony of Mike
6 Parinnello taken in the matter of Omar Rodriguez, et al. v. Burbank Police Department, et
7 al., Case No. BC414602.

8 3. Any and all volumes of the transcript of deposition testimony of J.J. Puglisi
9 taken in the matter of Omar Rodriguez, et al. v. Burbank Police Department, et al., Case
10 No. BC414602.

11 4. Any and all volumes of the transcript of deposition testimony of Travis Irving
12 taken in the matter of Omar Rodriguez, et al. v. Burbank Police Department, et al., Case
13 No. BC414602.

14 5. Any and all volumes of the transcript of deposition testimony of Kerry Schilf
15 taken in the matter of Omar Rodriguez, et al. v. Burbank Police Department, et al., Case
16 No. BC414602.

17 6. Any and all volumes of the transcript of deposition testimony of Gerry
18 Misquez taken in the matter of Christopher Lee Dunn v. Burbank Police Department, Case
19 No. BC417928.

20 7. Any and all volumes of the transcript of deposition testimony of Thor Merich
21 taken in the matter of Christopher Lee Dunn v. Burbank Police Department, Case No.
22 BC417928.

23 8. Any and all volumes of the transcript of deposition testimony of Dan Yadon
24 taken in the matter of Christopher Lee Dunn v. Burbank Police Department, Case No.
25 BC417928.

1 That the above action is for employment retaliation, and that these documents are
2 material to the issues involved in the case as evidence of Plaintiff's claims against
3 Defendant.


4 That good cause exists for the production of the above described documents by
5 reason of the following facts:

6 These documents are in the possession, custody and control of Solomon E.
7 Gresen, Esq. and are not available to Plaintiff without appropriate process of this Court.

8 **WHEREFORE** request is made that Subpoena Duces Tecum issue.

9
10 Executed this 9th day of February, 2012, at Beverly Hills, California.

11 I declare under penalty of perjury under the laws of the State of California that the
12 foregoing is true and correct.

13 
14 _____
15 GREGORY W. SMITH
16
17
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SMITH, GREGORY W.
9100 WILSHIRE BLVD., STE. 345E
BEVERLY HILLS, CA 90212
(310) 777-7894 Ref. No. 18062
Attorney For:

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES
CENTRAL

Plaintiff: TAYLOR

Case No. BC 422 252

Proof of Service

Defendant: CITY OF

Hearing Date: March 5th, 2012 Time: Dept./Div.:

PROOF OF SERVICE OF CIVIL SUBPENA

At the time of service I was at least 18 years of age and not a party to this action, and I served copies of the:
CIVIL SUBPENA (DUCES TECUM) FOR PERSONAL APPEARANCE AND PRODUCTION

1. a. Person served: ANNETTE GOLDSTEIN, AUTHORIZED TO ACCEPT ON
BEHALF OF SOLOMON E. GRESSEN, ESQ.

b. Address:

15910 VENTURA BL., #1610
ENCINO, CA 91436
Business Address

c. Date of delivery: February 14th, 2012

d. Time of delivery: 12:03 PM

e. (2) Witness fees were not demanded or paid

f. Fees for service \$40.00

2. I received this subpoena for service on (date): February 10th, 2012

3. Person serving:

W. UMANA
LEGAL SUPPORT SERVICES
1262 1/2 W. 2ND STREET
LOS ANGELES, CA 90026
(213) 250-0228

d. Registered California process
server
(2) Registration No.: 6235
(3) County: LOS ANGELES

6. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

February 15th, 2012

Signature: _____

W. UMANA

Jud. Coun. form, rule 982(a)(23)

PROOF OF SERVICE

EXHIBIT "6"

MESSENGER & FEDERAL EXPRESS FEES RE: SERVICE OF PROCESS (OTHER)

Re: **William Taylor v. City of Burbank**
Los Angeles County Superior Court Case No. BC 422 252

DATE	TYPE OF EXPENSE, OFFICE SERVED & DOCUMENT(S) SERVED	AMOUNT
06-15-09	Messenger Express (Tag #F1590080 – Burbank Police Dept.) Documents Served: Plaintiff's DFEH Charge and Notice of Case Closure	\$29.00
11-13-09	Federal Express (Invoice #9-406-15526 – Office of the City Attorney) Documents Served: Plaintiff's Responses to Form Interrogatories-Employment, Set #1 and Request for Production of Documents	\$19.56
11-13-09	Federal Express (Invoice #9-406-15526 – Burke Williams & Sorenson LLP) Documents Served: Plaintiff's Responses to Form Interrogatories-Employment, Set #1 and Request for Production of Documents	\$19.56
04-14-10	Federal Express (Invoice #7-065-80531 – Office of the City Attorney) Document Served: Plaintiff's Reply Brief Re Pitchess Motion	\$15.73
04-14-10	Federal Express (Invoice #7-065-80531 – Burke Williams & Sorenson) Document Served: Plaintiff's Reply Brief Re Pitchess Motion	\$15.73
04-14-10	Federal Express (Invoice #7-065-80531 – Burbank Police Department) Document Served: Plaintiff's Reply Brief Re Pitchess Motion	\$26.73
04-16-10	Messenger Express (Tag #D1600080 – Burbank Police Department) Document Served: Plaintiff's Skelly Response	\$38.50
06-09-10	Federal Express (Invoice #7-127-64459 – Burke Williams & Sorenson) Document Served: Plaintiff's Opposition to Motion for Sanctions	\$16.17
06-09-10	Federal Express (Invoice #7-127-64459 – Office of the City Attorney) Document Served: Plaintiff's Opposition to Motion for Sanctions	\$16.17
08-25-10	Messenger Express (Tag #H2500020 – Burbank Police Dept.) Documents Served: (2) Pitchess Motions Re J. Jette and E. Rosoff	\$38.50

MESSENGER & FEDERAL EXPRESS FEES RE: SERVICE OF PROCESS (OTHER)

Re: William Taylor v. City of Burbank
Los Angeles County Superior Court Case No. BC 422 252

DATE	TYPE OF EXPENSE, OFFICE SERVED & DOCUMENT(S) SERVED	AMOUNT
08-25-10	Messenger Express (Tag #H2500021 – Burbank City Attorney's Office) Documents Served: (2) Pitchess Motions Re J. Jette and E. Rosoff	\$20.00
08-25-10	Messenger Express (Tag #H2500022 – Burke Williams & Sorenson LLP) Documents Served: (2) Pitchess Motions Re J. Jette and E. Rosoff	\$59.00
08-25-10	Federal Express (Invoice #7-212-85181 – Burbank Office of the City Attorney) Document Served: Plaintiff's Opposition to Request for New Hearing Re Pitchess Motion	\$15.80
08-25-10	Federal Express (Invoice #7-212-85181 – Burke Williams & Sorenson LLP) Document Served: Plaintiff's Opposition to Request for New Hearing Re Pitchess Motion	\$15.80
01-11-11	Federal Express (Invoice #7-360-17943 – Office of the City Attorney) Document Served: Plaintiff's Reply to Pitchess Motion Re Bobb Report	\$16.90
01-11-11	Federal Express (Invoice #7-360-17943 – Burke Williams & Sorenson) Document Served: Plaintiff's Reply to Pitchess Motion Re Bobb Report	\$16.90
01-11-11	Federal Express (Invoice #7-360-17943 – Burbank Police Department) Document Served: Plaintiff's Reply to Pitchess Motion Re Bobb Report	\$16.90
06-07-11	Federal Express (Invoice #7-524-19143 – Burbank Police Dept.) Documents Served: (2) Pitchess Motions Re J. Jette and E. Rosoff Under Seal	\$18.06
08-26-11	Federal Express (Invoice #7-616-30290 – Burke Williams & Sorenson) Document Served: Plaintiff's Opposition to Motion to Compel Special Interrogatories, Set No. 2	\$17.83
08-26-11	Federal Express (Invoice #7-616-30290 – Ballard Rosenberg Golper & Savitt) Document Served: Plaintiff's Opposition to Motion to Compel Special Interrogatories, Set No. 2	\$17.83

MESSENGER & FEDERAL EXPRESS FEES RE: SERVICE OF PROCESS (OTHER)

Re: William Taylor v. City of Burbank
Los Angeles County Superior Court Case No. BC 422 252

DATE	TYPE OF EXPENSE, OFFICE SERVED & DOCUMENT(S) SERVED	AMOUNT
08-26-11	Federal Express (Invoice #7-616-30290 – Office of the Burbank City Attorney) Document Served: Plaintiff's Opposition to Motion to Compel Special Interrogatories, Set No. 2	\$17.83
10-07-11	Messenger Express (Tag #J0710062 – Burke Williams & Sorenson) Documents Served: Plaintiff's Supplemental Demand for Production of Documents and Tangible Things (Set One), Supplemental Interrogatory (Set One), and Supplemental Request for Admissions (Set One)	\$40.62
10-07-11	Messenger Express (Tag #J0710064 – Burbank Office of the City Attorney) Documents Served: Plaintiff's Supplemental Demand for Production of Documents and Tangible Things (Set One), Supplemental Interrogatory (Set One), and Supplemental Request for Admissions (Set One)	\$30.00
10-07-11	Messenger Express (Tag #J0710065 – Ballard Rosenberg Golper & Savitt) Documents Served: Plaintiff's Supplemental Demand for Production of Documents and Tangible Things (Set One), Supplemental Interrogatory (Set One), and Supplemental Request for Admissions (Set One)	\$48.62
10-19-11	Federal Express (Invoice #7-677-24853 – Office of the Burbank City Attorney) Document Served: Plaintiff's Third Amended Deposition Notice Re Marsha Ramos	\$17.75
10-19-11	Federal Express (Invoice #7-677-24853 – Collins Collins Muir & Stewart) Document Served: Plaintiff's Third Amended Deposition Notice Re Marsha Ramos	\$17.75
10-19-11	Federal Express (Invoice #7-677-24853 – Burke Williams & Sorenson) Document Served: Plaintiff's Third Amended Deposition Notice Re Marsha Ramos	\$17.75
10-19-11	Federal Express (Invoice #7-677-24853 – Ballard Rosenberg Golper & Savitt) Document Served: Plaintiff's Third Amended Deposition Notice Re Marsha Ramos	\$17.75

MESSENGER & FEDERAL EXPRESS FEES RE: SERVICE OF PROCESS (OTHER)

Re: **William Taylor v. City of Burbank**
Los Angeles County Superior Court Case No. BC 422 252

DATE	TYPE OF EXPENSE, OFFICE SERVED & DOCUMENT(S) SERVED	AMOUNT
10-24-11	Federal Express (Invoice #7-677-24853 – Ballard Rosenberg Golper & Savitt) Documents Served: Plaintiff's Sixth Amended Deposition Notice Re Timothy Stehr and Deposition Notice Re David Weiner	\$17.75
10-24-11	Federal Express (Invoice #7-677-24853 – Burke Williams & Sorenson) Documents Served: Plaintiff's Sixth Amended Deposition Notice Re Timothy Stehr and Deposition Notice Re David Weiner	\$17.75
10-24-11	Federal Express (Invoice #7-677-24853 – Office of the Burbank City Attorney) Documents Served: Plaintiff's Sixth Amended Deposition Notice Re Timothy Stehr and Deposition Notice Re David Weiner	\$17.75
12-23-11	Federal Express (Invoice #7-744-12889 – Burke Williams & Sorenson) Document Served: Plaintiff's Opposition to Augment and/or Amend Expert Witness List	\$17.67
12-23-11	Federal Express (Invoice #7-744-12889 – Office of the Burbank City Attorney) Document Served: Plaintiff's Opposition to Augment and/or Amend Expert Witness List	\$20.24
12-23-11	Federal Express (Invoice #7-744-12889 – Ballard Rosenberg Golper & Savitt) Document Served: Plaintiff's Opposition to Augment and/or Amend Expert Witness List	\$17.67
02-15-12	Federal Express (Invoice #7-802-72737 – Office of the Burbank City Attorney) Documents Served: Plaintiff's Opposition Briefs Re Motions in Limine Nos. 1, 2, & 5	\$22.41
02-15-12	Federal Express (Invoice #7-802-72737 – Burke Williams & Sorenson) Documents Served: Plaintiff's Opposition Briefs Re Motions in Limine Nos. 1, 2, & 5	\$22.41
02-15-12	Federal Express (Invoice #7-802-72737 – Ballard Rosenberg Golper & Savitt) Documents Served: Plaintiff's Opposition Briefs Re Motions in Limine Nos. 1, 2, & 5	\$22.41

MESSENGER & FEDERAL EXPRESS FEES RE: SERVICE OF PROCESS (OTHER)

Re: **William Taylor v. City of Burbank**
Los Angeles County Superior Court Case No. BC 422 252

DATE	TYPE OF EXPENSE, OFFICE SERVED & DOCUMENT(S) SERVED	AMOUNT
02-22-12	Federal Express (Invoice #7-809-96633 – Office of the Burbank City Attorney) Documents Served: Plaintiff's Opposition Briefs Re Motions in Limine Nos. 3, 4, & 7	\$18.40
02-22-12	Federal Express (Invoice #7-809-96633 – Ballard Rosenberg Golper & Savitt) Documents Served: Plaintiff's Opposition Briefs Re Motions in Limine Nos. 3, 4, & 7	\$18.40
02-22-12	Federal Express (Invoice #7-809-96633 – Burke Williams & Sorenson) Documents Served: Plaintiff's Opposition Briefs Re Motions in Limine Nos. 3, 4, & 7	\$18.40

EXHIBIT "7"

Liti land Reprographics Inc dba
KEYSTONE Document Discovery
 1940 Century Park East
 Suite B-100
 Los Angeles, CA 90067
 Tel: 310.553.5597 Fax: 310.553.5501



WWW.KEYSTONEDD.COM

INVOICE ✓

DATE	INV NO.
2/29/2012	21820

BILL TO:

GREGORY W. SMITH Law Offices
 9100 Wilshire Boulevard
 Suite 345 E
 Beverly Hills, CA 90212
 Attention: Selma Francia

24/7	SHIP TO:	
LITIGATION DOCUMENT MANAGEMENT SINCE 1993	ORDERED BY:	Selma Francia
	FILE # / REF:	W.TAYLOR/CITY OF BURBANK
	ATTORNEY:	

KEY #	DUE DATE	TERMS	REP	SHIP DATE	SHIP VIA
26657	3/30/2012	Net 30	LD	3/1/2012	Hand Deliver
ITEM	DESCRIPTION			QUANTITY	AMOUNT
Heavy Litigation	Litigation Copying - Heavy Grade			9,234	1,385.10T
Bates Labels	Bates Labeling - Special Handling Section by Section - Special Discounted Price			9,262	648.34T
Binders	3" Slant D-Ring View Binders			12	155.88T
Tabs	Alpha/Numeric Tabs			510	127.50T
Color Laser	8.5x11 Color Laser Copies			28	26.60T
	Sales Tax				205.05

Please authorize this invoice and submit it to your accounts payable person immediately.

Please be advised that it is the responsibility of the ordering party (in the SHIP TO section) to obtain and submit the appropriate authorizations from attorneys, other firm locations, third-party firms and/or other departments for immediate payment of this invoice. Thank you for your cooperation!

This invoice was mailed on:

This invoice was e-mailed on:

This invoice was hand delivered on:

NAME:

DATE:

SIGNATURE:

(Faxed, e-mailed or mailed invoices do not require a signature)

TOTAL

\$2,548.47

Payments/Credits

\$0.00

Balance Due

\$2,548.47

We Accept Visa, Master, Discover & American Express Cards.



Upon completion of your job, we will promptly deliver our invoices by our CSRs, via fax, e-mail or mail. Any discrepancies must be received in writing within two business days upon receipt of this invoice regardless of delivery method, otherwise our work will be deemed complete and you agree to the terms below:

1. Client is responsible for payment of this invoice within our terms, regardless of client's receipt of payment;

2. Your loss of clients, case and/or remuneration does not relieve your obligation to pay all sums due to KEYSTONE;

3. The work described above has been authorized, received, and verified correct, and the invoice amount has been verified correct;

4. In the event KEYSTONE needs to recover payment for this past due invoice, client agrees to pay all court and attorney fees incurred for the collection;

5. Invoices past due will incur a 1.5% late fee each month.

EXHIBIT "8"

VICTORIA KAPLAN
TRANSCRIPTION
6135 WARNER DRIVE
Los Angeles, CA 90048
(323) 934-8336

APRIL 14, 2010

TO: LAW OFFICES OF GREGORY W. SMITH
6300 Canoga Avenue
Woodland Hills, CA 91367

ORDERED BY: SELMA FRANCIA

Re: WILLIAM TAYLOR V CITY OF BURBANK

INVOICE #: 041410

I N V O I C E

For transcription of interviews with:

JANICE LOWERS
J.J. PUGLISI (2 interviews)
TIM STEHR (2 interviews)

TOTAL (AS AGREED) \$ 882.00

TOTAL NOW DUE

\$ 882,00

THANKS!!!

Please mail payment to:
Victoria Kaplan
6135 Warner Drive
Los Angeles, CA 90048

SS# 359-40-4351

PAID
CHECK # 7093 FC
\$ 882.-
4.15.10

VICTORIA KAPLAN
TRANSCRIPTION
6135 WARNER DRIVE
Los Angeles, CA 90048
(323) 934-8336

APRIL 27, 2010

TO: LAW OFFICES OF GREGORY W. SMITH
6300 Canoga Avenue
Woodland Hills, CA 91367

ORDERED BY: SELMA FRANCIA

Re: WILLIAM TAYLOR V CITY OF BURBANK

INVOICE #: 042710

I N V O I C E

For transcription of interviews with:

GERRY MISQUEZ -- 3 files \$ 250.00

WILLIAM TAYLOR -- 1 file \$ 367.50

AT \$ 2.50 per audio minute

TOTAL = \$ 617.50

TOTAL NOW DUE

\$ 617.50

THANKS!!!

Please mail payment to:
Victoria Kaplan
6135 Warner Drive
Los Angeles, CA 90048

SS# 359-40-4351

PAID
CHECK # 7133 FC
\$617.50
5.18.10



CONTINENTAL INTERPRETING

3111 North Tustin Street, Suite 235
Orange, CA 92865

INVOICE No.: 166127

Invoice Date : March 01, 2012

BILL TO

Gregory W. Smith
LAW OFFICE OF GREGORY W. SMITH
9100 Wilshire Boulevard, Suite 345E
Beverly Hills, CA 90212

ORDERED BY

Gregory W. Smith
LAW OFFICE OF GREGORY W. SMITH
9100 Wilshire Boulevard, Suite 345E
Beverly Hills, CA 90212

ORDER INFORMATION

Case Name: WILLIAM TAYLOR vs. CITY OF BURBANK
Case Number:
File Number:
Insured:
Claim Number:
Date of Loss:

<u>Date</u>	<u>Job Description</u>	<u>Amount</u>
3/1/2012	SPANISH interpreting services to edit the following translation: Transcripts (4 files)	\$1,300.00

Location

CONTINENTAL INTERPRETING SERVICES, INC.
3111 North Tustin Avenue, Suite 235
Orange, CA 92865

Payment Received : \$1,300.00

TOTAL AMOUNT \$1,300.00

AMOUNT DUE \$0.00

DUE DATE 4/15/2012

*Pd by Bank of America
Business Card

Quotation approved on 2/28/2012. PAID IN FULL - SEE RECEIPT ON BACK.

Please detach and mail with your payment

PLEASE MAKE CHECK PAYABLE TO :
CONTINENTAL INTERPRETING SERVICES, INC.
3111 N. Tustin Street, Suite 235
Orange, CA 92865-1754
Tax ID No : 33-0816515

Invoice No.: 166127

Amount Due: \$0.00

We also accept :

☐ Visa ☐ MasterCard ☐ American Express

Name : _____

Account No. : _____

Exp. Date : _____ CVV _____

A late charge of 0.833% per month (10% annually) will be added to all balances not paid within 45 days of invoice date.

www.cis-inc.com

(800) 201-7121

WE OFFER LANGUAGE SERVICES NATIONWIDE

CONTINENTAL INTERPRETING SERVICES
3111 N TUSTIN ST STE 235
ORANGE, CA 92865
800-201-7121

CONTINENTAL INTERPRETING
0010545200000018828001

Date: 03/01/2012 11:23:37 AM

CREDIT CARD SALE

CARD NUMBER: *****5967 K
TRAN AMOUNT: \$1,300.00
APPROVAL CD: 00138G
RECORD #: 001
CLERK ID: 559731
SALES TAX: \$0.00

Thank you!

Customer Copy

RECEIVED
MAR 06 2012
BY: Alcmité

PROOF OF SERVICE

STATE OF CALIFORNIA)

COUNTY OF LOS ANGELES)

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years of age, and am not a party to the within action; my business address is 9100 Wilshire Boulevard, Suite 345E, Beverly Hills, California 90212.

On the date hereinbelow specified, I served the foregoing document, described as set forth below on the interested parties in this action by placing true copies thereof enclosed in sealed envelopes, at Beverly Hills, addressed as follows:

DATE OF SERVICE : June 6, 2012

DOCUMENT SERVED : **PLAINTIFF'S OPPOSITION TO MOTION TO TAX COSTS; DECLARATION OF GREGORY W. SMITH IN SUPPORT THEREOF**

PARTIES SERVED : **SEE ATTACHED SERVICE LIST.**

XXX (BY FEDERAL EXPRESS) I caused the aforesaid document(s) to be delivered to Federal Express either by an authorized courier of Federal Express or by delivery to an authorized Federal Express office in a pre-paid envelope for overnight delivery to the addressee(s) as shown on the Service List.

XXX (BY ELECTRONIC MAIL) I caused such document to be electronically mailed to **Christopher Brizzolara, Esq.** at the following e-mail address: samorai@adelphia.net.

XXX (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

— (FEDERAL) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

EXECUTED at Beverly Hills, California on June 6, 2012.

Selma I. Francia

SERVICE LIST

**WILLIAM TAYLOR v. CITY OF BURBANK
LOS ANGELES COUNTY SUPERIOR COURT CASE NO. BC 422 252**

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(By Electronic Mail Only)

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City of Burbank
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500 North Brand Boulevard, 20th Floor
Glendale, California 91203-9946

From: (310) 777-7894
 Selma Francia
 Law Offices of Gregory W. Smit
 9100 Wilshire Boulevard, Suite 345E
 Beverly Hills, CA 90212

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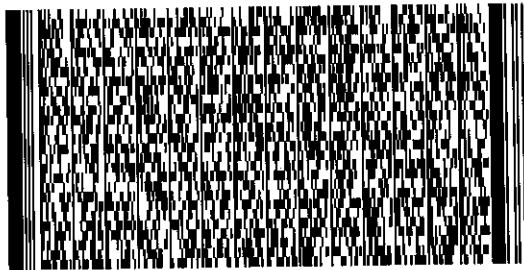


SHIP TO: (818) 238-5707 **BILL SENDER**
Amelia Ann Albano, City Attorney
Carol A. Humiston, Sr. Asst. City A
Office of the Burbank City Attorney
275 East Olive Avenue
Burbank, CA 91510

Ref # W. Taylor v. City of Burbank
 Invoice #
 PO #
 Dept #

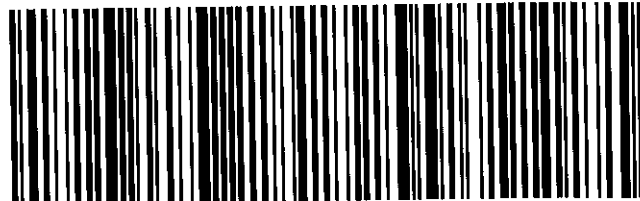
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